

Notice of Allowability

Application No.

10/715,686

Examiner

Cheukfan Lee

Applicant(s)

ONISHI ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed October 17, 2007.
2. ☒ The allowed claim(s) is/are 21,22,24,25,27-29, and 31-42, now renumbered 1-12,14,15,13, and 16-19, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/585,871.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Cheukfan Lee

1. Claims 21, 22, 24, 25, 27-29, and 31-42 are allowed. Claims 21, 29, and 39-42 are independent.

2. The following is an examiner's statement of reasons for allowance:

Claim 21 is allowable over the prior art of record. The amendment filed October 17, 2007 has overcome the art rejection of claim 21. The second portion of amended claim 21 is projecting out of the casing beyond any portion of the casing. No portion of the light conductor (4) of Sawase et al. (U.S. Patent No. 6,014,231) is projecting out of the casing (2). The assembly as claimed in claim 21 is not taught by the prior art of record.

Claims 22, 24, 25, 27, and 28 depend on claim 21.

Note that the references cited in section 3 below are not prior art to the present application because of their later effective filing dates.

Claims 29 and 31-42 were allowed in the previous Office action mailed April 19, 2007. The reasons for allowance given in the previous Office action are still valid after the updated search. Modified versions of the reasons are presented below.

Claim 29 is allowable over the prior art of record because the prior art does not teach an assembly comprising a casing and a light conducting unit, wherein the conducting unit includes a first transparent member housed within the casing, and a

second transparent member partially housed in the casing and partially projecting out of the casing, wherein the first transparent member is provided with a light receiving surface and a light emitting surface opposite to the light receiving surface, at least one of the light receiving surface and the light emitting surface being provided with a convex portion.

Claims 31-38 depend on claim 29.

Claims 39 and 40 are allowable because the prior art of record does not teach an assembly comprising a casing and a transparent light conductor, wherein the conductor includes a first portion housed in the casing at least partially, and a second portion projecting out of the casing, wherein the first portion includes a light receiving surface, the second portion includes a light emitting surface for allowing light to exit, and the light emitting surface is formed a) with a plurality of indents each of which is provided with an inclined portion slanted relative to the light receiving surface as claimed in claim 39, or b) with a plurality of projections each having a corner at which a cutout is provided as claimed in claim 40.

Claims 41 and 42 recite similar limitations. The claimed assembly comprises a casing, a substrate mounted on the casing, a light source mounted on the substrate, a light detector also mounted on the substrate, and a transparent light conductor, wherein the light conductor includes a first portion, or a first transparent member, and a second portion, or a second transparent member, both housed in the specific manners claimed,

the first portion or the first transparent member includes a light receiving surface facing the light source, and the second portion or the second transparent member includes a light emitting surface directed away from the light detector for allowing light to exit. The claimed structure of the assembly is not taught by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ikeda (U.S. Patent Application Publication No. US 2006/0159393 A1)

Ikeda (U.S. Patent Application Publication No. US 2006/0152805 A1)

Shishido (U.S. Patent No. 6,892,945)

Yokota et al. (U.S. Patent No. 7,136,203)

Yokota et al. (U.S. Patent No. 7,042,599)

Tabata et al. (U.S. Patent No. 6,333,779)

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

Application/Control Number:
10/715,686
Art Unit: 2625

Page 5

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
January 3, 2008